

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, a paragraph has been amended on page 6.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1-6 are presently pending for consideration in this application. Claim 1 has been amended.

Applicant acknowledges with appreciation the indication in the Office Action that claim 6 contains allowable subject matter and would be allowable if rewritten in independent form. In view of the allowability of claim 1, from which claim 6 depends, Applicant respectfully submits that claim 6 is allowable in its present form.

In the Office Action, claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph as being allegedly indefinite. Claim 1 recites, in pertinent part, "said first louvers in each planar portion being configured to be in asymmetry with respect to a center line of the planar portion in said lateral direction[.]" This "asymmetry" has been clarified in claim 1, and the asymmetry is exemplified by Figure 6 (see, for example, center line C2). Such an asymmetry creates an orientation bias in the louvers along the lateral direction of the corrugated strip, an example of which is louvers being oriented in generally the same way. Such an asymmetry and the resulting orientation bias creates a tendency for the louvered fin to curl. A "symmetrical" configuration would have a balance between louvers oriented in two or more directions and no net orientation bias (see e.g., figure 14 of the present specification). In view of the foregoing amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

Also in the Office Action, claims 1-5 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Tategami et al. (U.S. Patent No. 5,033,540). In view of the remarks contained herein, Applicant respectfully traverses this rejection.

In the present invention as claimed in claim 1, a louvered fin comprises a first corrugated strip with a plurality of louvers, a straightening member extending longitudinally along the first corrugated member for keeping it in a straight shape, and a breakable bridge member for attaching the first corrugated strip and the straightening member together. These features are recited, with more detail, in claim 1. The result is that the present invention of claim 1 prevents curling of the louvered fin during production, thus allowing for automated assembly, even though the louvers may be oriented the same way or generally in asymmetry. For at least the reasons set forth below, Tategami et al. do not disclose, teach or suggest the invention as recited in claim 1.

First, Tategami et al. does not disclose a straightening member for "keeping [a] first corrugated strip in a straight shape in [a] longitudinal direction[.]" as recited in claim 1. There is no disclosure, teaching or suggestion that any portion of corrugated fin 1 or any attachment thereto keeps the corrugated fin in a straight shape along its longitudinal direction. Claimed functions are indeed limitations that must be met by the prior art. Indeed, the louvers 4 may all be formed in the same direction, which, as the present application explains, can tend to cause the entire structure to curl. The apparent straightening member asserted by the Examiner simply does not clearly exist in the prior art reference.

Furthermore, referring to Figure 3 of Tategami et al. and the corresponding description at column 3, lines 50-59, the notches 2 cut out from the corrugated fin create a zigzag path between two heat exchangers in order to increase the length of the heat conduction path. These notches 2 create multiple "continuous portions" 3 which Applicants assume from the Office Action are being equated to the bridge members of the claimed invention. As

recited in the claims, the bridge member of the present invention attaches a first corrugated strip to a straightening member. In Tategami et al., however, the multiple portions 3 do not attach a corrugated strip to a straightening member. They, in the context taught by Tategami et al. form part of a single corrugated fin 1, not really attaching anything. This difference is described here notwithstanding the aforementioned lack of a straightening member in Tategami et al.

Also, the bridge member of the claimed invention is breakable. Its structural design, and not merely intended use, is such that it allows detachment of the first corrugated fin from the straightening member at the location of the bridge member. In contrast, the portions 3 of Tategami et al. are not breakable; that is not their design. There is no disclosure, teaching or suggestion that these portions are or can be used as detachment points. Indeed, ascribing such a teaching to the reference would contradict the described intended use of the corrugated fin 1 which is to combine two heat exchangers (see, e.g., column 3, lines 29-43).

In view of the foregoing, the rejection of claim 1-5 under 35 U.S.C. § 102(b) should be reconsidered and withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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